

CHITTUR & ASSOCIATES, P.C.

November 13, 2015

Hon. Katherine B. Forrest
Judge, United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Ritchie v. Northern Leasing Systems, Inc. et al*, 12 CV 4992

Your Honor:

In his vituperative letter of yesterday, dkt. 237, Mr. Lillienstein does not deny that on October 7, 2015, he, in fact, “declared unequivocally, in open Court, that Northern Leasing was not interested in even talking settlement in any case where my firm was involved.” Dkt. 236, at 2 (emphasis in original). Witnesses to Mr. Lillienstein’s declaration include Judge Michael Katz of the N.Y. City Civil Court, N.Y. County, and counsel for both sides.

Instead, what Mr. Lillienstein now claims is that Northern Leasing “carefully evaluates” each case for settlement purposes. In other words, what Mr. Lillienstein is now telling this Court is that what he told Judge Katz on October 7 was not true. Thus, it is Mr. Lillienstein who is, to quote his unbecoming language, “engaged in shameful dissembling to this Court”, Dkt. 237.

So also, Mr. Lillienstein’s detailed exegesis of the October 21st conference adjournment is meaningless and off base. At the time of the September 22nd phone conference with the Magistrate Judge that fixed this date, I overlooked Mr. Strutinskiy’s calendar and thence, the trial scheduled for October 21. When I was alerted to that on October 5, I promptly moved to avoid the scheduling conflict. Mr. Strutinskiy would have handled that trial, but as this Court is certainly aware, every trial requires much back-office work for research, draft of memos on evidentiary issues, and myriad other issues that arise during trial, often on an emergency basis. I had to keep myself available for that, and it would have been grossly irresponsible not to do so.

In any event, even Mr. Lillienstein does not dispute that (a) we sought to move the October 21 conference well ahead of time, not at the last minute; (b) we requested advancement, not delay, of the conference; and (c) the conference got adjourned by just one week. Just what Mr. Lillienstein’s point is or what he is so vehemently objecting to is a mystery.

In any event, we expect to have the demand letter emailed later today in accordance with Your Honor's order.

Respectfully submitted,

Sd/

Krishnan S. Chittur, Esq.
Attorneys for Plaintiff
Patricia Ritchie

Cc: Moses & Singer, LLP (Via ECF)